Office of the Privacy Commissioner of Canada

2016-17

Report on Plans and Priorities

The original version was signed by

The Honourable Jody Wilson-Raybould, P.C., M.P.
Minister of Justice and Attorney General of Canada

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Catalogue No. IP51-3E-PDF
ISSN 2292-4957

This document is available on the Office of the Privacy Commissioner's website at http://www.priv.gc.ca.

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Message from the Privacy Commissioner of Canada

I am pleased to submit the 2016-17 *Report on Plans and Priorities* on behalf of the Office of the Privacy Commissioner of Canada (OPC). This report describes our strategic directions, priorities, expected results and spending estimates for the coming fiscal year. Last year was, in part, about defining the strategic priorities that will guide the work my Office does over the next five years as we work to address mounting pressures on privacy. We consulted widely to identify ways in which we can have the greatest impact for Canadians in an increasingly complex and challenging environment. Our task for the 2016-17 fiscal year is to move forward on the many planned initiatives in support of those privacy priorities, which are:

- The economics of personal information;
- Government surveillance;
- Reputation and privacy;
- The body as information.

We have identified numerous activities under each of these priorities. These include, for example, producing discussion papers on both reputation and privacy, and the challenges with the current consent model; providing guidance to businesses and individuals on privacy protection; and reviewing how information sharing is occurring between federal institutions for the purposes of national security following the passage of Bill C-51, the *Anti-Terrorism Act, 2015*.

In all of our endeavours we will explore innovative and technological ways to protect privacy; we will seek to strengthen accountability and promote good privacy governance; we will take into account the fact that privacy knows no borders; we will enhance our public education role and we will consider the unique privacy needs of vulnerable groups such as youth and seniors.

Recognizing that privacy protection is a shared responsibility, we will seek out strategic partnerships and collaboration opportunities with fellow regulators, civil society groups, consumer organizations, and others with a similar interest in boosting the control Canadians have over their personal information. We will also work to enhance our existing organizational capacity and agility to help deal with new pressures, such as those anticipated once mandatory breach reporting under Canada's federal private sector privacy law is fully implemented.

With a carefully crafted roadmap and a committed team of privacy-minded professionals, we will strive to make as much of an impact as possible within our means as we work to protect and promote the privacy rights of Canadians.

The original version was signed by

Daniel Therrien
Privacy Commissioner of Canada

Section I: Organizational Expenditure Overview

Organizational Profile

Appropriate Minister[1]**:** Jody Wilson-Raybould

Institutional Head: Daniel Therrien

Ministerial portfolio[2]**:** Department of Justice Canada

Enabling Instrument(s): *Privacy Act*[i], R.S.C. 1985, c. P-21; *Personal Information Protection and Electronic Documents Act*[ii], S.C. 2000, c.5

Year of Incorporation / Commencement: 1982

Organizational Context

Raison d'être

As an Agent of Parliament, the Privacy Commissioner of Canada reports directly to the House of Commons and the Senate. The mandate of the Office of the Privacy Commissioner of Canada (OPC) is to oversee compliance with both the *Privacy Act*, which covers the personal information-handling practices of federal government institutions, and the *Personal Information Protection and Electronic Documents Act* (PIPEDA), Canada's federal private sector privacy law, along with some aspects of Canada's anti-spam law (CASL). The OPC's mission is to protect and promote the privacy rights of individuals[3].

Responsibilities

The Privacy Commissioner's powers to further the privacy rights of Canadians include:

- investigating complaints, conducting audits and pursuing court action under the *Privacy Act* and PIPEDA;
- publicly reporting on the personal information-handling practices of public and private sector organizations;
- supporting, undertaking and publishing research into privacy issues; and
- promoting public awareness and understanding of privacy issues.

The Commissioner works independently of government to investigate federal public sector-related complaints from individuals under the *Privacy Act* and complaints related to the private sector under PIPEDA. He also has some designated responsibilities to ensure compliance with CASL. While his mandate to investigate includes mediation and conciliation, the Commissioner has the power to summon witnesses, administer oaths, and compel the production of evidence. In cases where the investigation does not result in a voluntary agreement/resolution and remains

[1] The Commissioner works independently of government cabinet ministers and reports directly to Parliament. For the purposes of tabling Main Estimates, DPRs and RPPs, the Commissioner submits reports via the Justice Minister.
[2] *Ibid*
[3] Reference is made to "individuals" in accordance with the legislation.

unresolved, the Commissioner may seek an order from the Federal Court to address the situation under certain circumstances.

Strategic Outcome(s) and Program Alignment Architecture (PAA)

1. **Strategic Outcome:** The privacy rights of individuals are protected
   - **1.1. Program:** Compliance Activities
   - **1.2. Program:** Research and Policy Development
   - **1.3. Program:** Public Outreach

   Internal Services

Organizational Priorities

The OPC has a single Strategic Outcome—that the privacy rights of individuals be protected. To that end, and while working to deliver on its Expected Results found in Section II of this Report, the OPC identified three organizational priorities for the planning period. These priorities were identified to ensure the Office is well positioned to succeed given the changes in its external and internal environment.

The OPC's organizational priorities are described below, along with its plans to meet each priority. More details on the OPC's planned initiatives for 2016-17 are provided under Planning Highlights in Section II.

Priority 1: Advance the OPC privacy priorities

Description
In 2015, the OPC renewed its privacy priorities[iii] through 2020. These new priorities will guide its proactive work in order to ensure that the Office remains ahead of the curve on key, emerging areas that are likely to have the greatest impact on the protection of Canadians' personal information. These priorities enhance the Office's ability to inform parliamentarians, as well as to protect and promote the privacy rights of Canadians. They also allow the OPC to better leverage its limited resources. Work will continue in 2016-17 to advance the priorities in the short to medium term through the implementation of concrete action plans.

Priority Type[4]
Previously committed to

[4] Type is defined as follows: **previously committed to**—committed to in the first or second fiscal year prior to the subject year of the report; **ongoing**—committed to at least three fiscal years prior to the subject year of the report; and **new**—newly committed to in the reporting year of the RPP or DPR.

Planned Initiatives	Start Date	End Date	Link to OPC's Program Alignment Architecture
Complete the implementation of short-term action plans.	June 2015	December 2016	This priority is linked to the OPC's single Strategic Outcome: The privacy rights of individuals are protected.
Refine and begin implementation of medium-term action plans.	January 2017	June 2018	This priority is linked to the OPC's single Strategic Outcome: The privacy rights of individuals are protected.

Priority 2: Enhance organizational capacity and agility

Description
The OPC must make the best use of existing human and financial resources to deal effectively with an ever-increasing volume and complexity of work, while meeting the expectations of the public and other stakeholders in addressing privacy concerns. To maximize efficiency and impact, the Office must continue to maintain flexibility in service delivery and the use of its compliance tools in an environment of rapidly evolving technologies and privacy issues.

Priority Type
Previously committed to

Planned Initiatives	Start Date	End Date	Link to OPC's Program Alignment Architecture
Innovate through service improvement initiatives and increased internal collaboration between branches to maximize effectiveness and productivity.	Ongoing	Ongoing	This priority is linked to the OPC's single Strategic Outcome: The privacy rights of individuals are protected.
Optimize the use of organizational assets (human and financial resources, systems, information).	Ongoing	Ongoing	This priority is linked to the OPC's single Strategic Outcome: The privacy rights of individuals are protected.

Priority 3: Enhance strategic partnership and collaboration opportunities

Description
Many privacy issues are borderless in nature and require the OPC to collaborate with provincial and international partners. Further enhancing collaboration and engagement with federal and international partners, as well as organizations representing consumers, industry and others will help the OPC develop effective and relevant guidance and ensure that it is made available to individuals and organizations across Canada. Working in tandem with provincial and international counterparts will help to maximize expertise and resources to achieve positive privacy outcomes for Canadians.

Priority Type
Previously committed to

Planned Initiatives	Start Date	End Date	Link to OPC's Program Alignment Architecture
Identify and build relationships with new stakeholders.	Ongoing	Ongoing	This priority is linked to the OPC's single Strategic Outcome: The privacy rights of individuals are protected.
Leverage the value of new and long-standing partnerships.	Ongoing	Ongoing	This priority is linked to the OPC's single Strategic Outcome: The privacy rights of individuals are protected.

Risk Analysis

Key risks

Risk	Risk Response Strategy	Link to Program Alignment Architecture
The first risk relates to the OPC's ability to meet increasing demands and obligations given statutory limitations, increasing complexity and volume of business, and fiscal constraints. This risk is ranked medium in terms of likelihood and moderate in terms of impact.	The Office will reduce its exposure to this risk by focussing on advancing the privacy priorities and by continuing to find strategic and innovative ways to deliver on its mandate. The OPC will closely monitor performance against service standards and targets, and will analyse progress towards	The privacy rights of individuals are protected.

Risk	Risk Response Strategy	Link to Program Alignment Architecture
	operational commitments to monitor this risk throughout the year.	
The second risk relates to the OPC's ability to effectively manage through a period of sustained change due to uncertainty related to its evolving mandate and Government of Canada change initiatives (e.g., back-office transformation). This risk is ranked medium in terms of likelihood and moderate in terms of impact.	The Office will manage this risk by managing with agility, building in flexibility where possible to adapt and remain responsive to the changing environment while also delivering on its commitments. It will also remain actively involved in consultations and discussions on back-office transformation initiatives. The OPC will keep a close eye on output trends in order to effectively monitor this risk.	The privacy rights of individuals are protected.
The third risk relates to the Office's ability to make effective use of business intelligence to support more strategic or operational decision-making. This risk is ranked medium in terms of likelihood and moderate in terms of impact.	The Office will manage this risk by strengthening performance measurement at the OPC and reviewing and revamping its performance measurement tools to better meet information needs of management. The OPC will closely monitor this risk through regular discussions with management.	The privacy rights of individuals are protected.

Strategic Context and Operating Environment

The OPC's strategic and operating environment is in a constant state of evolution given the unrelenting speed of technological change which is outpacing privacy protections and posing both legal and ethical challenges. New and sophisticated techniques continue to be developed to track, use and sometimes compromise personal information. These issues pose formidable challenges to the OPC and its counterparts around the world.

Privacy issues are becoming more inter-disciplinary and cross-jurisdictional. This year again, the OPC has made developing and enhancing partnerships with stakeholders a key priority. Work will continue to increase information-sharing and coordination efforts with other national and international data protection authorities in order to strengthen global enforcement and enhance policy development.

There is also continuing pressure from both public and private sector organizations to expand how they access and use personal information, in ways that increasingly stretch current legal and

governance structures. New economic models are emerging based on the mining of personal information.

Moreover, the increasing amount of personal information exchanged between private and public sector organizations continues to pose challenges to privacy and accountability. Initiatives to expand surveillance powers, facilitate warrantless disclosures or broaden government access to personal information held by private sector organizations have given rise to heightened privacy concerns. This has prompted court actions to contain government surveillance practices, ensure effective accountability and stress the importance of due process.

Growing awareness about government surveillance has also generated proposals to reform existing oversight and control measures. The OPC has made government surveillance one of its four privacy priorities and will dedicate resources in the coming year to review the information sharing practices of federal departments and agencies in the context of national security to ensure privacy compliance and inform public debate and awareness on the issue.

In addition to the issues noted above, other developments are contributing to an increase in the volume and complexity of the OPC's workload. They include, for example, new mandatory breach notification requirements in the public sector, increasing concerns about private sector breaches, the increased complexity of complaints and investigations, including those related to CASL, and rapidly evolving information technologies.

To elaborate on that first example, new mandatory breach notification provisions for the private sector are poised to expand the OPC's mandate. The *Digital Privacy Act* (formerly known as Bill S-4), received Royal Assent in June 2015, resulting in a number of significant amendments to Canada's federal private sector privacy law, the *Personal Information Protection and Electronic Documents Act* (PIPEDA). Many amendments came into force upon Royal Assent, however, those dealing with breach reporting, notification and recordkeeping will be brought into force once related regulations outlining specific requirements are developed and in place.

While a new government has been elected, it is not clear that any of these external pressures are likely to change in the short term. The OPC will continue to meet its challenges by focussing on advancing its privacy priorities and actively leveraging its resources to provide timely and informed advice to Parliament and other stakeholders.

Planned Expenditures

Budgetary Financial Resources (dollars)

2016-17 Main Estimates	2016-17 Planned Spending	2017-18 Planned Spending	2018-19 Planned Spending
24,712,988	24,712,988	24,712,988	24,712,988

Human Resources (full-time equivalents — [FTEs])

2016-17	2017-18	2018-19
180	180	180

Budgetary Planning Summary for Strategic Outcome(s) and Program(s) (dollars)

Strategic Outcome(s), Program(s) and Internal Services	2015-16 Expenditures	2016-17 Expenditures	2017-18 Forecast Spending	2016-17 Main Estimates	2016-17 Planned Spending	2017-18 Planned Spending	2018-19 Planned Spending
Strategic Outcome: The privacy rights of individuals are protected							
Compliance Activities	$11,827,618	$12,459,182	$11,602,709	$11,806,625	$11,806,625	$11,806,625	$11,806,625
Research and Policy Development	$2,868,867	$3,044,119	$2,830,709	$3,381,675	$3,381,675	$3,381,675	$3,381,675
Public Outreach	$2,698,797	$2,508,976	$2,698,993	$2,401,395	$2,401,395	$2,401,395	$2,401,395
Strategic Outcome Subtotal	$17,395,282	$17,970,727	$17,132,410	$17,589,695	$17,589,695	$17,589,695	$17,589,695
Internal Services Subtotal	$11,827,772[1]	$7,909,142	$7,869,825	$7,556,200	$7,556,200	$7,556,200	$7,556,200
Total	$29,223,107	$25,879,869	$25,002,235	$25,145,895	$25,145,895	$25,145,895	$25,145,895

[1] Internal Services expenditures include the costs related to the 2016 move of the OPC headquarters.

Internal Services expenditures for 2015-16 included one-time costs related to the 2016 move of the OPC headquarters to a new building at 30 Victoria Street in Gatineau, Quebec and a realignment of internal services planned spending based on the Guide on Internal Services Expenditures: Recording, Reporting and Attributing. The 2017-18 forecast spending includes the carry forward from 2016-17 of $699,100. In 2016-17, and onward it is expected that funding will remain relatively stable.

Alignment of Spending With the Whole-of-Government Framework

Alignment of 2016-17 Planned Spending With the Whole-of-Government Framework[1] (dollars)

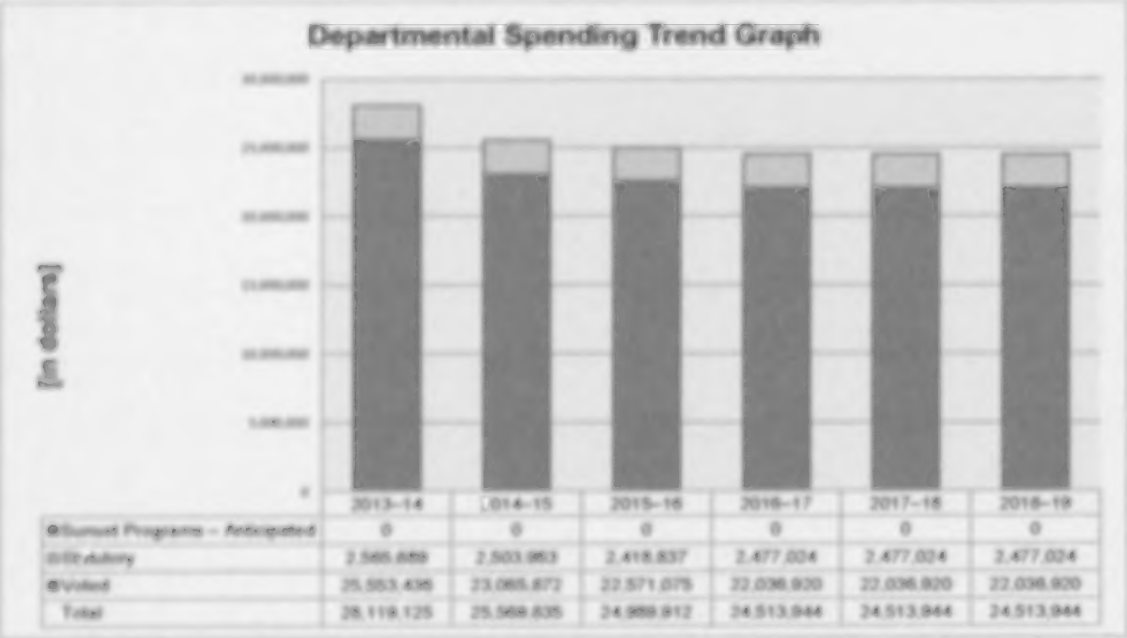
Strategic Outcome	Program	Spending Area	Government of Canada Outcome	2016-17 Planned Spending
1. The privacy rights of individuals are protected	1.1 Compliance Activities	Government Affairs	A transparent, accountable, and responsive federal government	$11,806,625
	1.2 Research and Policy Development	Government Affairs	A transparent, accountable, and responsive federal government	$3,381,675

Strategic Outcome	Program	Spending Area	Government of Canada Outcome	2016–17 Planned Spending
	1.3 Public Outreach	Government Affairs	A transparent, accountable and responsive federal government	2,401,395

Total Planned Spending by Spending Area (dollars)

Spending Area	Total Planned Spending
Economic Affairs	0
Social Affairs	0
International Affairs	0
Government Affairs	17,189,691

Departmental Spending Trend



The graph above illustrates the OPC spending trend from 2013-14 to 2018-19.

The expenditures decreased significantly from 2013-14 to 2014-15 due to the costs associated with the relocation of the Office's headquarters in winter 2014 (including office set-up, equipment and new technology infrastructure).

The graph shows a decrease between 2014-15 and 2015-16 which can be explained by the Government of Canada's move to salary payments in arrears in the context of Pay Modernization.

The planned spending in 2015-16 is higher than subsequent years due to the inclusion of the carry forward from 2014-15. The spending trend starting in 2016-17 reflects the end of term agreement of the transfer to the Canadian Radio-television and Telecommunications Commission (CRTC) to assist with the establishment and operation of the Spam Reporting Centre associated with CASL and an increase in the employee benefits plan. Otherwise, the OPC permanent funding in 2016-17 and ongoing is expected to remain constant.

Estimates by Vote

For information on the OPC organizational appropriations, consult the *2016-17 Main Estimates*[v].

Section II: Analysis of Program(s) by Strategic Outcome

Strategic Outcome: The privacy rights of individuals are protected

All OPC efforts and activities are directed towards achieving the organization's single Strategic Outcome, the protection of individuals' privacy rights. The Office plays a leadership role in encouraging organizations that handle the personal information of Canadians to respect their privacy rights. Others who contribute to this mission include provincial and territorial privacy commissioners, data-protection authorities around the world, privacy advocacy groups, chief privacy officers, professional associations, consumer representatives, civil society, academics, Parliamentary committees, and federal departments and agencies.

Program 1.1: Compliance Activities

Description

This program oversees compliance with federal privacy legislation for public and private sector organizations, thus contributing to the protection of Canadian's privacy rights. Through this Program, the OPC investigates privacy-related complaints and responds to inquiries from individuals and organizations, reviews breach reports and has the power to initiate its own investigations when warranted (Commissioner initiated complaints). Through audits and reviews, the OPC also assesses how well organizations are complying with requirements set out in the two federal privacy laws, and provides recommendations on Privacy Impact Assessments (PIAs), pursuant to the Treasury Board *Directive on Privacy Impact Assessment*. This program is supported by a legal team that provides specialized advice and litigation support, and a research team with senior technical and risk-assessment support.

Budgetary Financial Resources (dollars)

2016-17 Main Estimates	2016-17 Planned Spending	2017-18 Planned Spending	2018-19 Planned Spending
11,406,623	11,406,623	11,406,623	11,406,623

Human Resources (FTEs)

2016-17	2017-18	2018-19
81	81	81

Performance Measurement

Expected Results	Performance Indicators	Targets	Date to be Achieved
Intermediate Outcomes			
Federal government institutions and private-sector organizations meet their obligations under federal privacy legislation.	Percentage of complaints and incidents (breach notifications and OPC interventions) that are resolved to the satisfaction of the OPC *(Measured based on: disposition of investigations and analysis of conclusions of OPC interventions)*	80 percent	March 31, 2017
	Percentage of audit recommendations substantially implemented two years after publication of the final audit report *(Measured based on: analysis of actions taken to implement the OPC audit recommendations)*	85 percent	March 31, 2017
Immediate Outcomes			
Individuals receive responses to their information requests and complaints.	Percentage of information requests and complaints responded to within established service standards *(Measured based on: analysis of Office statistics on turnaround times)*	90 percent	March 31, 2017
Federal government institutions and private sector organizations receive advice and recommendations to improve their privacy practices, in compliance with federal privacy legislation and policies.	Percentage of PIA-related advice that results in added privacy protection for government programs or initiatives *(Measured based on: analysis of the privacy outcome from the PIA consultations/ recommendations)*	90 percent	March 31, 2017

Planning Highlights

While working towards its Compliance Activities outcomes (as identified in the above table) through its ongoing activities, the OPC will also focus on the following strategic initiatives and activities in 2016-17 to deliver on the organizational priorities and associated key commitments (presented in Section I):

- Update the OPC Risk-based Audit Plan to focus limited resources on examining organizations' systems and practices that pose the greatest risks to privacy. The OPC's privacy priorities will inform the audit planning.

- Review and investigate collection, use and sharing practices of departments and agencies involved in surveillance activities under recent legislation to ensure privacy compliance and inform public debate and awareness.

- Proactively target the highest risk areas in PIA reviews and related advice and outreach, while continuing to respond to requests for guidance from federal institutions. This includes prioritizing privacy impact assessments and providing other advice related to surveillance activities and the implementation of recently adopted legislation.

- Identify relevant investigations in support of the OPC's privacy priorities

- Continue to implement and monitor approaches and procedures aimed at creating investigative processes that are streamlined, innovative and flexible. For example, the Office will:

    - Apply a Risk Management Framework to *Privacy Act* and PIPEDA Investigations to inform risk-based complaint management and adapt the level of investigative effort as appropriate;

    - Finalize and implement revised performance measures in support of the management of investigations; and,

    - Implement a Quality Assurance and Quality Control Program.

- Continue to analyze the data from recently implemented online engagement tools, including a new online information request form and a new comment form. This will help inform the OPC's public communications needs and other activities. Assisting in the identification of privacy trends and risks can also help identify future actions the OPC may wish to take.

- Continue to develop and leverage domestic and international enforcement partnerships to achieve positive privacy outcomes through collaborative investigations and other initiatives (e.g. the annual Global Privacy Sweep and the OPC's tenure as an executive member of the Global Privacy Enforcement Network).

- Continue to enhance and refine operations and processes as a result of the *Digital Privacy Act*'s coming into force, including:

    - Ensuring sufficient capacity and structure of Breach Response Unit considering the anticipated volume associated with mandatory breach reporting; and,

    - Making use of new tools such as Compliance Agreements with an associated focus on compliance monitoring.

Program 1.2: Research and Policy Development

Description

This program advances privacy knowledge, develops policy positions and provides strategic advice on the full range of privacy issues to Parliamentarians, government institutions and private sector stakeholders.

Through this program, the OPC serves as a centre of expertise on emerging privacy issues in Canada and abroad by researching trends and technological developments, monitoring and analysing legislative and regulatory initiatives, providing strategic legal, policy and technical advice on key issues, and developing policy positions that advance the protection of privacy rights in both the public and private sectors.

An important part of the work involves supporting the Commissioner and senior officials in providing advice to Parliament on potential privacy implications of proposed legislation, government programs, and private-sector initiatives. Since 2004, the Program includes the administration of the *Personal Information Protection and Electronic Documents Act* Contributions Program that funds independent privacy research and related knowledge translation initiatives, to advance knowledge and promote the practical application of that knowledge in ways that enhance privacy protection for Canadians.

Budgetary Financial Resources (dollars)

2016-17 Main Estimates	2016-17 Planned Spending	2017-18 Planned Spending	2018-19 Planned Spending
3,381,673	3,381,673	3,381,673	3,381,673

Human Resources (FTEs)

2016-17	2017-18	2018-19
29	29	29

Performance Measurement

Expected Results	Performance Indicators	Targets	Date to be Achieved
Intermediate Outcome			
Public and private sector stakeholders are enabled to develop policies and initiatives that respect privacy rights.	Percentage of stakeholder requests for guidance on policies and initiatives that were responded to by the OPC *(Measured based on: tracking of analysis provided to stakeholders)*	100 percent	March 31, 2017
Immediate Outcomes			

Expected Results	Performance Indicators	Targets	Date to be Achieved
Parliamentarians are able to draw on OPC expertise to identify and address privacy issues.	Percentage of requests from parliamentarians that were responded to by the OPC within service standards *(Measured based on: tracking of responses to parliamentarians)*	100 percent	March 31, 2017
Knowledge of privacy issues is advanced.	Increased take-up of OPC research *(Measured based on: statistics on the number of website visits to OPC research papers or their URL links)*	Annual increase relative to previous year	March 31, 2017

Planning Highlights

While continuing to work toward the Research and Policy Development outcomes (as identified in the above table) through its ongoing activities, the OPC will also focus on the following strategic initiatives and activities in 2016-17 to deliver on the organizational priorities and associated key commitments (presented in Section I):

- Focus the OPC's research and policy development work on the privacy priority areas that pose the greatest risk to privacy and implement the short-term plans to advance the privacy priorities. For instance, the office will:
    - Launch a discussion paper on the challenges to the consent model. This will be followed by stakeholder engagement, to help the OPC identify enhancements to the consent model so that concerns raised both by individuals and organizations are addressed;
    - Collate and analyse submissions received following the launch of an OPC paper on online reputation and privacy in January 2016; develop a position on how reputational issues may best be addressed;
    - Conduct an environmental scan on health applications and digital health technologies;
    - Conduct research into privacy enhancing technologies (PETs) and the privacy implication of everyday consumer products; and,
    - Focus the Contributions Program on the privacy priorities and related strategies by accepting only those proposals that fall within the priorities and strategies.
- Review the Office's involvement in various international fora in order to maximize its overall strategic impact in protecting the personal information of Canadians. For example, the OPC is now a member of the Executive Committee of the International Conference of Data Protection and Privacy Commissioners, which plays a critical role in orienting the strategic directions and future work of the International Conference.

- Renew existing partnerships with our provincial and territorial counterparts to better address privacy issues of mutual interest; and seek out and engage with new partners and fora.

- Explore appropriate discussion and collaboration opportunities with stakeholders in Canada to better understand the challenges they face and help identify potential areas for future research or guidance.

Program 1.3: Public Outreach

Description

This Program promotes public awareness and understanding of rights and obligations under federal privacy legislation. Through this program, the OPC delivers public education and communications activities, including speaking engagements and special events, exhibiting, media relations, and the production and distribution of promotional and educational material.

Through public outreach activities, individuals are informed about privacy and personal data protection. Such activities also enable federal and private-sector organizations to better understand their obligations under federal privacy legislation.

Budgetary Financial Resources (dollars)

2016-17 Main Estimates	2016-17 Planned Spending	2017-18 Planned Spending	2018-19 Planned Spending
2,401,395	2,401,395	2,401,395	2,401,395

Human Resources (FTEs)

2016–17	2017–18	2018–19
21	21	21

Performance Measurement

Expected Results	Performance Indicators	Targets	Date to be Achieved
Intermediate Outcome			
Federal government institutions and private-sector organizations better understand their obligations under federal privacy legislation and individuals better understand their rights.	Percentage of private-sector organizations that are moderately or highly aware of their obligations under federal privacy legislation *(Measured based on: biennial polling of private industry; next poll in 2017-18)*	85 percent	March 31, 2018

Expected Results	Performance Indicators	Targets	Date to be Achieved
	Percentage of Canadians who feel they know their privacy rights *(Measured based on: biennial public opinion polling; next poll in 2016-17)*	30 percent	March 31, 2017
Immediate Outcomes			
Federal government institutions and private-sector organizations have access to useful information about their privacy responsibilities and individuals have access to relevant and timely information to protect their privacy rights.	Annual increase in website visits *(Measured based on: the tracking and analysis of statistics on website traffic)*	Visits to OPC websites increase year over year	March 31, 2017

Planning Highlights

The OPC will develop creative and targeted strategies to reach out to Canadians in ways that have the most impact while ensuring the best use of limited budgetary resources. The Office will continue to work toward its Public Outreach outcomes (as identified in the above table) through its ongoing activities, while also focussing on the following strategic initiatives and activities in 2016-17 to deliver on the organizational priorities and associated key commitments (presented in Section I).

- Implement communications and outreach strategies and related activities to enhance privacy protection for vulnerable groups, in particular seniors and young people.
    - Through its youth communications and outreach strategy, the OPC will work with parents, teachers and other trusted sources to provide children and young people with information and guidance on how to recognize privacy risks and protect their personal information online.
    - Through its new seniors communications and outreach strategy, the OPC will undertake activities to disseminate information to seniors to help them identify privacy issues and take action to minimize identity theft and other risks associated with their online activities. The OPC will also work with national seniors' associations to broaden its reach.
- Undertake outreach activities aimed at strengthening accountability and promoting good privacy governance among small businesses, with a new focus on the accommodations and retail sectors, which were found to generate higher number of complaints, relative to other industry sectors.

- Through its small business outreach strategy, the OPC will develop resources that address the specific concerns of small businesses—paying special attention to those sectors mentioned above—so they are better equipped to comply with PIPEDA and avoid a breach. The OPC will work with associations and business organizations to ensure guidance materials are relevant and reach the intended audiences.

- Enhance website content, usability and technology to help Canadians and organizations access relevant information.
  - Focus efforts on ensuring that individuals have easy access to practical and clear information and advice about privacy that helps them exercise their rights and protect their personal information.
  - Develop new tools and information for organizations to help them better understand and uphold their privacy responsibilities.
  - Conduct web usability testing to further enhance and refine the OPC website to ensure that it is meeting the information needs of Canadians and organizations.

Internal Services

Description

Internal Services are groups of related activities and resources that are administered to support the needs of programs and other corporate obligations of an organization. The OPC's internal services include Management and Oversight Services, Human Resources Management Services, Financial Management Services, Information Management Services, Information Technology Services, Real Property Services, Materiel Services, Acquisition Services, and Travel and Other Administrative Services. Internal Services include only those activities and resources that apply across an organization and not those provided to a specific program.

Budgetary Financial Resources (dollars)

2016-17 Main Estimates	2016-17 Planned Spending	2017-18 Planned Spending	2018-19 Planned Spending
7,324,253	7,324,253	7,324,253	7,324,253

Human Resources (FTEs)

2016-17	2017-18	2018-19
50	50	50

Performance Measurement

Expected Result	Performance Indicator	Target	Date to be Achieved
The OPC achieves a standard of organizational excellence and managers and staff apply sound business management practices.	Percentage of the Management Accountability Framework (MAF) areas where no significant gaps have been identified.[7] *(Measured based on results from the biennial MAF self-assessment exercise and annual progress reports. Next self-assessment planned for 2016-17)*	90 percent	March 31, 2017

Planning Highlights

The OPC will continue to work toward achieving and maintaining a standard of organizational excellence and will ensure managers and staff apply sound business management practices. The OPC will focus on the following strategic initiatives and activities in 2016-17, to deliver on the organizational priorities and associated key commitments (presented in Section I):

- Align the OPC's resources, as required, to allow the Office to effectively advance its privacy priorities and deliver on its mandate.
- Conduct a review of the Office's Management, Resources and Results Structure, including its Performance Measurement Framework, to ensure better measurement of its contributions to outcomes.
- Strengthen internal management by implementing new or enhancing existing solutions and tools that provide greater completeness, accuracy and timely information to support effective decision-making (e.g. MyGCHR, Common Human Resources Business Process (CHRBP), GX Financial System, and Integrated Performance Reports).
- Implement government-wide systems and related policy instruments that support the organization's priorities (e.g. results of central agencies' Policy Suite Renewal exercises in the areas of staffing, classification, personal security, finance, implementation of the new pay system Phoenix, etc.).
- Pursue opportunities to partner with other Agents of Parliament to gain effectiveness, share knowledge and continue implementing best practices in areas such as information technology, administrative services, training, and human resources programs.

[7] The MAF is a tool that outlines expectations for sound public management practices and performance. Each year most departments and agencies are assessed by the Treasury Board Secretariat (TBS) against this tool. As an agent of Parliament, the OPC is not subject to a MAF assessment by TBS. Nonetheless, the Office conducts a comprehensive self-assessment exercise against the MAF biannually, as well as a status update on improvements in the intervening years. The OPC uses this exercise as a report card on its 'state of management' and to provide a level of assurance to the Commissioner on the OPC's compliance with Treasury Board policies.

- Maintain internal communications and enhance the OPC Intranet to support employees throughout the implementation of the Commissioner's new priorities and the various organizational changes affecting the OPC (e.g. HR Modernization)

Section III: Supplementary Information

Future-Oriented Condensed Statement of Operations

The future-oriented condensed statement of operations provides a general overview of the OPC's operations. The forecast of financial information on expenses and revenues is prepared on an accrual accounting basis to strengthen accountability and to improve transparency and financial management.

Because the future-oriented condensed statement of operations is prepared on an accrual accounting basis and the forecast and planned spending amounts presented in other sections of this Report on Plans and Priorities are prepared on an expenditure basis, amounts differ.

A more detailed future-oriented statement of operations and associated notes, including a reconciliation of the net costs of operations to the requested authorities, can be found on the OPC's website[17].

Future-Oriented Condensed Statement of Operations
For the Year Ended March 31, 2016
(dollars)

Financial Information	2015-16 Forecast Results	2016-17 Planned Results	Difference (2016-17 Planned Results minus 2015-16 Forecast Results)
Total expenses	28,210,610	27,949,359	(261,251)
Total revenues	100,000	100,000	0
Net cost of operations before government funding and transfers	28,110,610	27,849,359	(261,251)

The decrease of approximately $0.3 million between the forecast results for 2015-16 and planned results for 2016-17 is mostly due to the accrual accounting adjustments such as amortization and accrual liabilities and to a reduction in severance pay cash-out. Planned spending will remain stable in future years as OPC does not expect any change in its reference levels.

Supplementary Information Tables

The supplementary information tables listed in the *2016-17 Report on Plans and Priorities* can be found on the OPC's website[18].

- Departmental Sustainable Development Strategy;
- Disclosure of Transfer Payment Programs under $5 million; and

- Upcoming Internal Audits and Evaluations Over the Next Three Fiscal Years.

Tax Expenditures and Evaluations

The tax system can be used to achieve public policy objectives through the application of special measures such as low tax rates, exemptions, deductions, deferrals, and credits. The Department of Finance publishes cost estimates and projections for these measures annually in the *Tax Expenditures and Evaluations*[iii] publication. The tax measures presented in the *Tax Expenditures and Evaluations* publication are the sole responsibility of the Minister of Finance.

Section IV: Organizational Contact Information

30 Victoria Street, 1st Floor
Gatineau, Quebec K1A 1H3
Canada

Telephone: 819-994-5444
Toll Free: 1-800-282-1376
Fax: 819-994-5424
TTY: 819-994-6591
Website: www.priv.gc.ca

Appendix: Definitions

Appropriation: Any authority of Parliament to pay money out of the Consolidated Revenue Fund.

budgetary expenditures: Operating and capital expenditures; transfer payments to other levels of government, organizations or individuals; and payments to Crown corporations.

Departmental Performance Report: Reports on an appropriated organization's actual accomplishments against the plans, priorities and expected results set out in the corresponding Reports on Plans and Priorities. These reports are tabled in Parliament in the fall.

full-time equivalent: A measure of the extent to which an employee represents a full person-year charge against a departmental budget. Full-time equivalents are calculated as a ratio of assigned hours of work to scheduled hours of work. Scheduled hours of work are set out in collective agreements.

Government of Canada outcomes: A set of 16 high-level objectives defined for the government as a whole, grouped in four spending areas: economic affairs, social affairs, international affairs and government affairs.

Management, Resources and Results Structure: A comprehensive framework that consists of an organization's inventory of programs, resources, results, performance indicators and governance information. Programs and results are depicted in their hierarchical relationship to each other and to the Strategic Outcome(s) to which they contribute. The Management, Resources and Results Structure is developed from the Program Alignment Architecture.

non-budgetary expenditures: Net outlays and receipts related to loans, investments and advances, which change the composition of the financial assets of the Government of Canada.

performance: What an organization did with its resources to achieve its results, how well those results compare to what the organization intended to achieve, and how well lessons learned have been identified.

performance indicator: A qualitative or quantitative means of measuring an output or outcome, with the intention of gauging the performance of an organization, program, policy or initiative respecting expected results.

performance reporting: The process of communicating evidence-based performance information. Performance reporting supports decision making, accountability and transparency.

planned spending: For Reports on Plans and Priorities (RPPs) and Departmental Performance Reports (DPRs), planned spending refers to those amounts that receive Treasury Board approval by February 1. Therefore, planned spending may include amounts incremental to planned expenditures presented in the Main Estimates.

A department is expected to be aware of the authorities that it has sought and received. The determination of planned spending is a departmental responsibility, and departments must be able to defend the expenditure and accrual numbers presented in their RPPs and DPRs.

plans: The articulation of strategic choices, which provides information on how an organization intends to achieve its priorities and associated results. Generally a plan will explain the logic behind the strategies chosen and tend to focus on actions that lead up to the expected result.

priorities: Plans or projects that an organization has chosen to focus and report on during the planning period. Priorities represent the things that are most important or what must be done first to support the achievement of the desired Strategic Outcome(s).

program: A group of related resource inputs and activities that are managed to meet specific needs and to achieve intended results and that are treated as a budgetary unit.

Program Alignment Architecture: A structured inventory of an organization's programs depicting the hierarchical relationship between programs and the Strategic Outcome(s) to which they contribute.

Report on Plans and Priorities: Provides information on the plans and expected performance of appropriated organizations over a three-year period. These reports are tabled in Parliament each spring.

results: An external consequence attributed, in part, to an organization, policy, program or initiative. Results are not within the control of a single organization, policy, program or initiative; instead they are within the area of the organization's influence.

statutory expenditures: Expenditures that Parliament has approved through legislation other than appropriation acts. The legislation sets out the purpose of the expenditures and the terms and conditions under which they may be made.

Strategic Outcome: A long-term and enduring benefit to Canadians that is linked to the organization's mandate, vision and core functions.

sunset program: A time-limited program that does not have an ongoing funding and policy authority. When the program is set to expire, a decision must be made whether to continue the program. In the case of a renewal, the decision specifies the scope, funding level and duration.

target: A measurable performance or success level that an organization, program or initiative plans to achieve within a specified time period. Targets can be either quantitative or qualitative.

voted expenditures: Expenditures that Parliament approves annually through an Appropriation Act. The Vote wording becomes the governing conditions under which these expenditures may be made.

whole-of-government framework: Maps the financial contributions of federal organizations receiving appropriations by aligning their Programs to a set of 16 government-wide, high-level outcome areas, grouped under four spending areas.

Endnotes

[i] *Privacy Act*, http://laws-lois.justice.gc.ca/eng/acts/P-21/FullText.html

[ii] *Personal Information Protection and Electronic Documents Act*, http://laws-lois.justice.gc.ca/eng/acts/P-8.6/FullText.html

[iii] The OPC Strategic Privacy Priorities 2015-2020, https://www.priv.gc.ca/information/pub/pp_2015_e.pdf

[iv] Whole-of-government framework, http://www.tbs-sct.gc.ca/ppg-cpr/frame-cadre-eng.aspx

[v] *2016-17 Main Estimates*, http://www.tbs-sct.gc.ca/ems-sgd/esp-pbc/me-bpd-eng.asp

[vi] OPC Future-Oriented Statement of Operations, http://www.priv.gc.ca/information/02_05_e_e.asp#fofs

[vii] Supplementary Information Tables, http://www.priv.gc.ca/information/rpp/2015-2016/st-ts_e.asp

[viii] Tax Expenditures and Evaluations publication, http://www.fin.gc.ca/purl/taxexp-eng.asp